

**Project:** June 7, 2018 OFO Competitive Oil and Gas Lease Sale  
**EA Log Number:** DOI-BLM-NM-0040-2017-064-EA

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**Location:**

***Beckham, Dewey, Grady, Major, McClain, and Woodward Counties, Oklahoma;  
Meade and Norton Counties, Kansas; and Zapata County, Texas***  
**Finding of No Significant Impact (FONSI)**

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## **INTRODUCTION**

In accordance with the requirements of the National Environmental Policy Act of 1969, the Bureau of Land Management (BLM) Oklahoma Field Office (OFO) has prepared an Environmental Assessment (EA), DOI-BLM-NM-0040-2017-064-EA, to analyze the potential effects associate with offering 25 oil and gas lease sale parcels in: Beckham, Dewey, Grady, Major, McClain, and Woodford Counties, Oklahoma; Meade and Norton Counties, Kansas; and Zapata County, Texas at the June 2018 OFO Competitive Oil and Gas Lease Sale. Under the proposed action, the BLM would offer for sale 24 of the 25 analyzed parcels totaling 4,152.10 acres of BLM-administered Federal minerals. Standard BLM terms and conditions and special stipulations have been attached to the parcels, as specified in the concomitant Environmental Assessment (DOI-BLM-NM-0040-2017-064-EA).

## **EXTERNAL SCOPING**

Consultation with the United States Fish and Wildlife Service (USFWS) was completed on October 24, 2017 in accordance with the Endangered Species Act, Section 7 consultation requirements. Additionally, the OFO completed Biological Evaluations based on an official species list provided by the USFWS's Oklahoma Ecological Services Field Office. The Biological Evaluations determined there would be "no effect" on any federally listed species or designated critical habitat; therefore, further consultation is not required (BLM 2017).

The BLM OFO initiated consultation with the Oklahoma, Kansas, and Texas State Historic Preservation Offices (SHPO) and 14 Tribes across the OKT planning area on November 21, 2017. Because, the lease sale is considered an administrative process that does not involve surface disturbance, the BLM OFO has recommended a determination of No Historic Properties Affected for the June 2018 oil and gas lease sale. The Oklahoma SHPO and Oklahoma Archeological Survey, Kansas SHPO, and Texas SHPO have concurred with the project determination of effect. Future, oil and gas development would result in a separate consultation process.

The Cheyenne and Arapaho Tribes identified a Traditional Cultural Property (TCP) near one of the parcels and an area in which TCPs may be located near another parcel. They have asked that a protection buffer be placed on the existing TCP and/or any other TCP discovered, if and when oil and gas development is proposed or occurs for those parcels.

A 30-day public review and comment period for the EA was provided December 20, 2017 to January 19, 2018. No comments were received.

### **FINDING OF NO SIGNIFICANT IMPACT**

Based on review of the analysis contained in the EA (DOI-BLM-NM-0040-2017-064-EA) and supporting documents, I have determined the Proposed Action Alternative is not a major Federal action, and is not expected to cause a significant effect on the human environment.

The impacts of leasing fluid mineral estate in the areas described within this EA have been previously analyzed in the Oklahoma Resource Management Plan (RMP) (1994), as amended; the Kansas Resource Management Plan (RMP) (1991), as amended, and the Texas Resource Management Plan (RMP) (1996), as amended. The proposed June 2018 OFO Competitive Oil and Gas Lease Sale was found to be in conformance with the Oklahoma Resource Management Plan (RMP) (1994), as amended; the Kansas Resource Management Plan (RMP) (1991), as amended, and the Texas Resource Management Plan (RMP) (1996), as amended. The standard lease terms and conditions and special stipulations accompanying the 24 parcels proposed for leasing would mitigate potential future development effects on the 24 tracts. Therefore, I have determined that preparation of an Environmental Impact Statement (EIS) for this proposed action is not warranted.

#### **Context:**

The Proposed Action would occur in: Beckham, Dewey, Grady, Major, McClain, and Woodford Counties, Oklahoma; Meade and Norton Counties, Kansas; and Zapata County, Texas. The project includes federal mineral estate underlying private surface and does not have known or identified international, national, regional, or state-wide importance. The proposed leases would give the lessee exclusive rights to explore and develop oil and gas reserves on the lease, but does not in itself authorize surface disturbing activities. Although there is no surface disturbance at this stage, the EA analyzes a reasonably foreseeable development scenario to assess potential effects from drilling which may occur at the Application for Permit to Drill (APD) stage. Additional site-specific National Environmental Policy Act (NEPA) analysis will be conducted at that time.

#### **Intensity:**

The following discussion is organized around the Ten Significance Criteria described in 40 CFR 1508.27 and the BLM NEPA Handbook Appendix 1 (H-1790-1). The following have been considered in evaluating intensity for this proposal:

#### **1. Impacts that may be both beneficial and adverse.**

The Proposed Action would impact resources as described in the EA. Mitigating measures to reduce impacts to the various resources were incorporated into the design of the proposed action. None of the direct, indirect, or cumulative environmental effects discussed in the EA are considered significant.

#### **2. The degree to which the proposed action affects public health or safety.**

The Proposed Action is intended to offer 24 lease parcels for sale and would not directly affect public health or safety. There would also be no indirect effects to public health or safety as a result of potential future development. If the Federal mineral leases are subsequently sold and the leases enter into a development stage, public health or safety would be further addressed through timely site-specific NEPA analysis.

**3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, parklands, prime farmlands, wetlands, wild and scenic rivers, or ecologically critical areas.**

The EA evaluated areas linked to the proposed action and determined that no unique geographic characteristics including Wild and Scenic Rivers, Prime or Unique Farmlands, Areas of Critical Environmental Concern, Designated Wilderness areas, or Wilderness Study Areas were present. Although aquatic habitat is present within multiple proposed lease parcels, the proposed action would not result in significant impacts to this resource. No direct or indirect impacts are anticipated to this resource as a result of the proposed action. Potential impacts from future development would be addressed through timely site-specific NEPA analysis, special stipulations, and BLM-recognized best management practices.

**4. The degree to which the effects on the quality of the human environment are likely to be controversial.**

Effects on the quality of the human environment are not expected to be significant or highly controversial. Future site-specific NEPA analysis shall be conducted during the APD stage to address possible effects on resources at the time of proposed development. Controversy in this context is considered to be in terms of disagreement about the nature of the effect- not political controversy or expression of opposition to the action or preference among the alternatives analyzed within the EA.

**5. The degree to which the possible effects on the human environment are highly uncertain or involve unique or unknown risks.**

The proposed action is not unique or unusual. The BLM has experience implementing similar actions in similar areas. The environmental effects to the human environment have been analyzed in the EA. There are no predicted effects on the human environment that are considered to be highly uncertain or involve unique or unknown risks.

**6. The degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.**

This project neither establishes a precedent nor represents a decision in principle about future actions. This leasing of Federal minerals and more specifically fluid minerals has been occurring since the creation of the Mineral Leasing Act of 1920. A decision to lease would not limit later resource management decisions for areas open to development.

**7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.**

The interdisciplinary team involved in preparing the EA evaluated the proposed action in the context of past, present, and reasonably foreseeable actions. Significant cumulative effects are not expected.

**8. The degree to which the action may adversely affect districts, sites, highways, structures, or objects listed in or eligible for listing in the NRHP or may cause loss or destruction of significant scientific, cultural, or historical resources.**

Lease sales are an administrative process that do not involve any land disturbance or construction, therefore, the BLM, in consultation with the Oklahoma, Texas, and Kansas SHPOs, has determined that the effect of the lease sale on Historic Properties is No Historic Properties Affected. Future undertakings associated with oil and gas development on sold leases will be handled through future site-specific NEPA analysis. Lease stipulations and notifications (including NM-11-LN and WO-NHPA) require compliance with National Historic Preservation Act – Section 106, EO 13007 and other applicable statutes and executive orders. They also state that the BLM may require modifications to exploration or developments proposals to protect historic properties, traditional cultural properties, or sacred sites, or disapprove activity likely to result in adverse effects which cannot be successfully avoided, minimized, or mitigated.

**9. The degree to which the action may adversely affect a threatened or endangered species or its habitat, determined to be critical by the Endangered Species Act of 1973.**

While the act of leasing Federal minerals would produce no direct effects to wildlife, subsequent development of a lease may produce impacts. Effects could result from increased habitat fragmentation, noise, or other disturbance during development. Measures would be taken to prevent, minimize, or mitigate impacts to fish and wildlife animal species from exploration and development activities. Prior to authorization, activities would be evaluated on a case-by-case basis, and the project would be subject to mitigation measures.

Protective stipulation WO-ESA-7 would be attached to any lease which falls within an area of potential wildlife habitat. The BLM may recommend modifications to exploration and development proposals to further its conservation and management objective to avoid BLM-approved activity that could contribute to a need to list such a species or their habitat. BLM may require modifications to or disapprove proposed activity that is likely to result in jeopardy to the continued existence of a proposed or listed threatened or endangered species or result in the destruction or adverse modification of a designated or proposed critical habitat. BLM will not approve any ground-disturbing activity that could affect such species or critical habitat until it completes its obligations under applicable requirements of the Endangered Species Act as amended, 16 U.S.C. § 1531 et seq., including completion of any required procedure for conference or consultation.” See Biological Evaluation Appendix 7 for federally listed species informed through consultation with the U.S. FWS.

**10. Whether the action threatens a violation of Federal, State, or local law or requirements imposed for the protection of the environment.**

The project does not violate any known Federal, State, local or tribal law or requirement imposed for the protection of the environment. In addition, the project is consistent with applicable land management plans, policies, and programs.

*Prepared by:*

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Patrick Rich, Planning & Environmental Coordinator

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Date

*Reviewed by:*

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Robert Pawelek, Oklahoma Field Office Manager

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Date

*Approved by:*

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Aden Seidlitz, Acting State Director

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Date